REMARKS

Applicant hereby submits amendments to the abstract and to Figs. 1A and 1B to overcome the objections thereto listed in the Official Action.

In the Official Action, claims 1 and 3-7 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,091,449 to Matsunaga et al. Claim 2 (stated in error in the Official Action as claim 4) was rejected under 35 U.S.C. § 103(a) as obvious over Matsunaga et al. in view of U.S. Patent No. 5,272,535 to Elabd.

In response to the aforementioned rejections, claims 1, 2, and 4-7 have been amended. Further, new claims 8-17 have been added.

The following standard has been established for a finding of anticipation:

> 2131 Anticipation - Application of 35 U.S.C. 102(a), (b), and (e)
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> TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM
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> "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of Cal.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an ipsissimis verbis test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). Note that, in some circumstances, it is permissible to use multiple references in a 35 U.S.C. 102 rejection. See MPEP § 2131.01.

MPEP § 2131. As is detailed below, the reference cited in the Official Action does not disclose all limitations of amended claims 1 and 3-7.

Amended claim 1 includes the limitations of "a first turn-on means coupled to each of said first and second photo sensing means" and "said first turn-on means being enabled by a first control line coupled thereto, such that analog signals acquired in said first and second photo sensing means of one of the same pairs are present at said

floating sensing point in response to the enabling of said first control line." Matsunaga does not teach either of these limitations.

Referring to Fig. 7 of Matsunaga, first and second photo sensing means (62a, 62b) are each coupled to their own turn-on means (63a, 63b), respectively. Neither of the two turn-on means (63a, 63b) is coupled to both photo sensing means (62a, 62b). Figs. 30 and 33 of Matsunaga disclose image sensors that are constructed in the same manner, i.e., the two photo sensing means illustrated are each coupled to separate turn-on means, with neither being coupled to the same turn-on means. Therefore, Matsunaga does not disclose the limitation of "a first turn-on means coupled to each of said first and second photo sensing means" found in amended claim 1.

Further, the image sensors disclosed by Matsunaga in Figs. 7, 30, and 33 require two control lines to be enabled so that analog signals acquired from the two photo sensing means become present at the floating sensing point. In contrast, amended claim 1 includes the limitation that analog signals acquired in the first and second photo sensing means are present at the floating sensing point in response to enabling of ***one*** control line.

At least two limitations of amended claim 1 are not disclosed in Matsunaga. Therefore, Matsunaga does not anticipate amended claim 1.

Where Matsunaga does not anticipate amended claim 1, neither does it anticipate claims 3-6, all of which ultimately depend from amended claim 1.

Amended claim 7 is a method claim which includes the limitations of: "coupling said first and second photo sensing means in each pair of light-detecting elements in parallel in the column direction at a floating sensing point, through a first turn-on means enabled by a first control line"; "coupling said first and second photo sensing means in adjacent pairs of light-detecting elements in parallel in the column direction at said floating sensing point, through a second turn-on means enabled by a second control line"; and "obtaining said analog signals acquired in said first and second photodiodes

of one of the same pairs or the adjacent pairs presented at said floating sensing point, in response to the enabling of one of said first or second control lines, respectively." For the same reasons stated above in relation to amended claim 1, Matsunaga also does not anticipate amended claim 7.

Amended claim 2 was rejected as obvious over Matsunaga in view of Elabd. In order to establish a *prima facie* case of obviousness, the cited references must teach or suggest all the claim limitations. MPEP 2142.

Amended claim 2 ultimately depends from and therefore includes the limitations of amended claim 1. Matsunaga does not disclose the limitations of amended claim 1 as discussed above. Elabd also does not disclose these limitations. Therefore, the combination of Matsunaga in view of Elabd does not establish a *prima facie* case of obviousness.

Applicants have added new claims 8-17 to the application. Each of these claims includes limitations that are similar to those discussed above, in relation to amended claim 1, that are not found in the Matsunaga reference. For this reason each of new claims 8-17 are believed to be novel and not obvious.

In view of the foregoing, applicants believe each claim presented herein to be in a form suitable for allowance and such is earnestly solicited.

Respectfully submitted,

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